

Town of Frederick Board of Trustees



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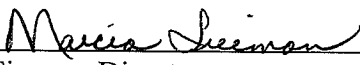
AM 2009-004

To Consider Amendments To Article 2 Of The Land Use Code

Agenda Date: January 13, 2009

Attachments:

- a. PCR-2008-20A
- b. Red-line version of Article 2
- c. "Clean" version of Article 2
- d. Planning Commission Meeting Minutes, December 2, 2008
- e. Ordinance

Fiscal Note: None noted

Finance Director

Submitted by: Jennifer Simmons
Planning Director

Approved for Presentation: 
Town Administrator

AV Use Anticipated Projector n/a Laptop n/a

Certification of Board Approval:

Town Clerk

Date

Summary Statement:

In accordance with the general updates to the Land Use Code, Article 2 has been amended for your consideration.

Detail of Issue/Request:

The proposed Land Use Code Amendments are one of several steps toward updating the entire Land Use Code that was initiated in 2006.

General Updates: In general, this Article of the Land Use Code contained many quotations from references that have been removed. Additionally, the Article contained information that is now available in the Town of Frederick Design Standards and Construction Specifications, December 13, 2007. Specifically, right-of-way standards have been removed and replaced with a reference to the Design Standards document. Additionally, the references to the Town Pattern Plan and the Design Vocabulary have been removed and replaced with references to the Town's Comprehensive Plan and additional design guidelines for both residential and non-residential projects. Finally, references to zoning districts have been updated to reflect the zoning districts currently allowed by the Land Use Code.

Updates to Parking: The Parking Section has been changed to better reflect the different uses that require parking and providing parking standards. The parking standards in the existing code were not always applicable to specific projects.

Updates to Sidewalks, Walkways, Multi-Use Pathways, and Trails: This Section was updated to better distinguish between sidewalks, walkways, multi-use pathways, and trails.

Updates to Parks and Open Space: The updates to Parks and Open Space better identify landscape requirements and define when parks are required to be installed. Furthermore, it allows for parks to be developed in a cost effective way with a variety of species and plant sizes, reduces water requirements, and utilizes techniques to improve year round user comfort by reducing solar gain and blocking winter winds. In addition, various parks are defined for various types of development providing guidance to developers as to what will be required. Finally, a park study may now be required to be developed as part of a subdivision development. If required, this study will provide an understanding of the applicable amenities that should be developed to serve the users of the park and the subdivision population, avoids duplication within the community, promotes creativity, and maximizes recreational and open space opportunities.

Updates to Landscape Design: This Section has been updated to organize the requirements in a logical fashion, simplify the landscape requirements by detailing the types of landscaping required by zoning district, and create a gateway landscape requirement to enhance visual appeal at significant locations and define Frederick's boundary. In addition, the new requirements reduce water and energy consumption, reduce the cost of landscape installation by allowing for a variety of plant sizes in certain circumstances, define the maintenance requirements and establish parameters to mitigate the removal of required landscaping.

Updates to Buffering and Screening Techniques: Additional language has been added to this Section to better define what buffers are required and what land uses require screening.

Updates to Fences and Walls: Additional language has been added to Fences and Walls to strengthen the requirements and clarify where chain link fencing may be appropriate.

Updates to Residential Architecture: This Section was heavily amended to better define the distinctions expected in residential architecture (both single- and multi-family homes). The idea of a "block

diversity plan” was amended to require that similar homes must not be placed adjacent or across the street from each other. Additionally, colors must vary on adjacent homes and homes across the street from each other. This now requires differing garage placements and requires that garage doors not comprise more than fifty percent of the street-facing building frontage. Specific architecture requirements are now also in place for multi-family housing.

Updates to Commercial and Industrial Architecture: This Section was also heavily amended to better define non-residential architecture. Items addressed include building materials, building architecture, and connectivity.

Updates to Lighting: Updates to Lighting include both adding specific maximum lighting levels that Staff has attempted to enforce without having adopted standards as well as clarifying height standards for lighting.

Amendments To The Land Use Code Review Criteria:

For the purpose of establishing and maintaining sound, stable, and desirable development within the Town, the text of this Code shall not be amended except:

- (1) To correct a manifest error in the text of this Code;
- (2) To provide for changes in administrative practices as may be necessary to accommodate changing needs of the community and the Town staff;
- (3) To accommodate innovations in land use and development practices that were not contemplated at the adoption of this Code; or
- (4) To further the implementation of the goals and objectives of the Comprehensive Plan.

The proposed amendment provides for innovations in land use and development practices that were not contemplated at the adoption of this Code and furthers the implementation of the goals and objectives of the Comprehensive Plan relating to quality growth as well as image and design of the Town.

Planning Commission Recommendation:

The Planning Commission considered the amendments to Article 2 at meetings held November 18 and December 2, 2008 (see attached minutes). The Commission was supportive of the amendments and unanimously recommended approval of PCR-2008-20A (as attached).

Public Notice:

This project was properly noticed according to the requirements of Section 4.5 of the Frederick Land Use Code.

Legal/Political Considerations:

Legal staff has reviewed the proposed amendments.

Alternatives/Options:

There is an ordinance attached to this Action Memorandum. The Board of Trustees could consider the following options regarding the ordinance:

1. Approve the ordinance.
2. Deny the ordinance.
3. Approve the ordinance with conditions.

Financial Considerations:

Not Applicable.

Staff Recommendation:

Please consider approval of ordinance to amend Article 2.

2 A Resolution of the Planning Commission Recommending Approval of an
3 Amendment to Article 2 of the Land Use Code Regarding Community Design
4 Principles And Development Standards

5
6 Be it resolved by the Planning Commission of the Town of Frederick, Colorado:

7
8 Section 1. The Frederick Planning Commission finds that:

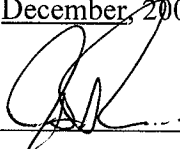
9 1.1 An amendment to Land Use Code Article 2 has been considered.

10 1.2 Said amendment generally conforms with the applicable requirements of
11 Section 4.7.9.b. of the Frederick Land Use Code.

12 Section 2. This resolution constitutes the written report, findings and decision of the
13 Town of Frederick Planning Commission.

14 Section 3. On the basis of the above, the Town of Frederick Planning Commission
15 recommends approval of the application.

16
17 This resolution approved this 2nd day of December, 2008, by a vote of 4 to 0.

18
19 
20 _____
Chairperson, Planning Commission

MINUTES
TOWN OF FREDERICK
PLANNING COMMISSION
Frederick Town Hall
December 2, 2008
7:30 p.m.

Attendance: Acting Chairman Jeff Roehrig, Commissioners Donna Hudziak, Donald Hard, Alan Blair and John Loveless were present. Also present were Planning Director Jennifer Simmons and Planner Todd Tucker.

ROLL CALL: Acting Chairman Roehrig called the regular meeting to order at 7:30p.m. Roll call was taken; all commissioners were present, with Commissioner Hard arriving late.

ADDITIONS TO THE AGENDA: There were no additions to the agenda.

APPROVAL OF MINUTES FROM THE NOVEMBER 18, 2008 MEETING:

Commissioner Blair made a motion to approve the minutes from the September 16, 2008 meeting. Commissioner Hudziak seconded the motion. All in favor, motion carried.

APPOINTMENT OF A PLANNING COMMISSION CHAIRPERSON:

Commissioner Hard will be arriving late to the meeting, so it was decided to postpone this action agenda item until he arrives to avoid the possibility of a tie.

REVIEW OF AMENDMENT TO ARTICLE 2, COMMUNITY DESIGN PRINCIPLES AND DEVELOPMENT STANDARDS:

Planner Simmons addressed the commission by stating that the changes that were discussed at the last Planning Commission meeting have been made and a corrected copy is in the packets.

On November 18, 2008, the Planning Commission reviewed a red-line version of the Land Use Code. An updated red-line version of the document has been posted to the Town website. Attachment A to this report itemizes the substantive changes that were made to the first draft version that the Commission reviewed. Additional work was completed to update formatting and general spelling.

The version of Article 2 contained in the packet has been corrected and changes have been made.

Commissioner Blair made a motion to recommend approval of PCR-2008-020A, "A Resolution of the Planning Commission Recommending Approval of an Amendment to Article 2 of the Land Use Code Regarding Community Design Principles and Development Standards". Commissioner Hudziak seconded the motion. All in favor, motion carried.

APPOINTMENT OF A PLANNING COMMISSION CHAIRPERSON:

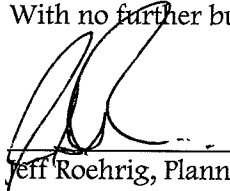
Planner Simmons asked for nominations for Planning Commission Chairperson. Commissioner Hudziak nominated Commissioner Roehrig who accepted the nomination. Commissioner Blair nominated himself and accepted the nomination. The vote was taken by secret ballot with Kathy Larson counting the votes. Commissioner Roehrig was elected as Planning Commission Chairman.

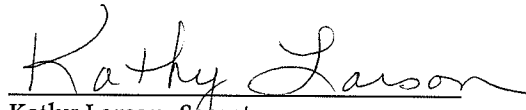
Planner Simmons asked for nominations for Planning Commission Vice Chairman. Commissioner Loveless nominated Commissioner Hudziak who accepted the nomination. Commissioner Blair nominated himself and accepted the nomination. The vote was taken by secret ballot with Kathy Larson counting the votes. Commissioner Hudziak was elected as Planning Commission Vice Chairman.

OTHER BUSINESS:

Planner Simmons said that the next Planning Commission meeting will be on 16 December 2008 at 7:30PM for a public hearing for Glacier Park Self Storage.

With no further business to discuss, the Planning Commission was adjourned.



Jeff Roehrig, Planning Commission Chairman

Kathy Larson, Secretary